

# United States District Court

SOUTHERN

DISTRICT OF

OHIO

08 JUL -9 PM 2:39

UNITED STATES OF AMERICA  
V.  
VITALI POPKOV

## CRIMINAL COMPLAINT

Case number: 08mj 185

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about July 15, 2005 in Hamilton county, in the Southern District of Ohio defendant(s) did,

Conspire with Ausra ORINAITE and Charles Cook in defrauding the United States for the purpose of engaging in a marriage for the purpose of evading the provisions of the immigration laws of the United States.

In violation of Title 18 United States Code, Section(s) 371. I further state that I am a Special Agent and that this complaint is based on the following facts:

See Attached Affidavit

Continued on the attached sheet and made a part hereof:

☒ Yes ☐ No

Allen L. Samsky  
Signature of Complainant S/A

Sworn to before me and subscribed in my presence,

July 9, 2008  
Date

Cincinnati, OH

at City and State

MICHAEL R. BARRETT  
UNITED STATES DISTRICT COURT JUDGE

Name & Title of Judicial Officer

Michael R. Barrett  
Signature of Judicial Officer

## ATTACHMENT

I, Allen Vanscoy, being duly sworn, hereby depose and state as follows:

1. I am a Senior Special Agent (SS/A) with U.S. Immigration and Customs Enforcement (ICE) currently assigned to the Resident Agent in Charge Office of ICE in Cincinnati, Ohio. I graduated from the Federal Law Enforcement Training Center (FLETC) Immigration Officer Academy in 1997 and have been employed by ICE (and a predecessor agency, the Immigration and Naturalization Service) for over ten (10) years. I have also completed the FLETC Criminal Investigator Training Program (CITP) in Glynn, Georgia. As a Special Agent, I have conducted and participated in numerous investigations relating to Immigration Benefit Fraud, harboring, transporting, and inducing of illegal aliens as well as the financial aspects of these cases. The following Declaration is based on my personal investigation as well as the investigation of fellow law enforcement officers.
2. Based on the information set forth below, I have reason to believe that Ausra ORINAITE, DOB 07/13/1979, residing at 6659 Scarborough Court in Morrow, Ohio 45152 is an alien who has knowingly entered into a marriage for the purpose of evading the provisions the immigration laws of the United States.
3. Based on the information set forth below, I have reason to believe that Vitali POPKOV, DOB 02/11/1977, residing at 6659 Scarborough Court in Morrow, Ohio 45152 is an alien who did unlawfully, knowingly and willfully combine, conspire, confederate, and agree with Ausra ORINAITE and Charles Cook, to

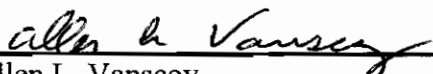
commit the following offense: enter into a marriage for the purpose of evading the provisions the immigration laws of the United States.


4. Sometime before July 15, 2005, Ausra ORINAITE, who was at the time an illegal alien, approached Charles Cook, a United States Citizen, and proposed that they get married.
5. Ausra ORINAITE informed Charles Cook that she needed to get married in order to stay in the United States, and that she would need to be married for 2 years, after which they could get divorced.
6. On July 15, 2005 Ausra ORINAITE and Charles Cook entered into a marriage.
7. Thereafter, on January 23, 2006, Ausra ORINAITE submitted a fraudulent Application to Register Permanent Residence or Adjust Status (known as a form I-485) to U.S. Citizenship and Immigration Services. This Application included various false statements regarding the marriage,
8. In December of 2006, Charles Cook was contacted by Ausra ORINAITE and Vitali POPKOV and again ORINAITE and POPKOV requested Cook's assistance with the marriage.
9. On March 02, 2007, Vitali POPKOV, traveled to Louisville, Kentucky, picked up Charles Cook, and transported him to Cincinnati, Ohio where he stayed with POPKOV and Ausra ORINAITE until March 05, 2007.
10. On March 05, 2007, Charles Cook and Ausra ORINAITE were interviewed at 550 Main Street Room 4001 Cincinnati, Ohio, the office of U.S. Citizenship and Immigration Services, regarding the validity of the I-485 Application. During this interview ORINAITE, while under oath, made numerous false statements

regarding the marriage, such as living with Charles Cook, working for Stephen Vysotskiy, and having no contact with Vitali POPKOV.

Based on the foregoing information, affiant has probable cause to believe the aforementioned, Vitali Popkov, did unlawfully, knowingly and willfully combine, conspire, confederate, and agree with Ausra ORINAITE and Charles Cook, to commit the following offense: enter into a marriage for the purpose of evading the provisions of the Immigration Laws of the United States in violation of Title 8 USC 1325(c).

Further affiant sayeth naught.

  
\_\_\_\_\_  
Allen L. Vanscoy  
Senior Special Agent  
Immigration and Customs Enforcement

  
\_\_\_\_\_  
Michael R. Barrett  
U.S. District Court Judge